

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott M. Rocklage, et al. Examiner: Hartley, M.G.
Serial No. 09/189,043 Group Art Unit: 1616
Filed: November 9, 1998 Docket No. 511.1897US1
Title: METHODS OF PERFUSION IMAGING

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on March 3, 2005.

Mark A. Litman
Name


Signature

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Terminal Disclaimer to Obviate a Double Patenting Rejection
Over a Prior Patent
Under 37 C.F.R. §1.321**

The Owner, BresaGen, Inc. of 100 percent of the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154-156, §173, as presently shortened by any terminal disclaimer of prior Patent Number 5,190,744. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154-156, §173 of the prior patent, as

presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

- ☐ 1. For submissions on behalf of an organization (e.g. corporation, partnership, university, government, agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- ☒ 2. The undersigned is an attorney of record.

The terminal disclaimer fee under 37 C.F.R. §1.20(d) of \$130.00 is hereby authorized to be withdrawn from Deposit Account Number 50-1391.

Respectfully submitted,

SCOTT M. ROCKLAGE, et al.

By Their Representatives,

MARK A. LITMAN & ASSOCIATES, P.A.

York Business Center, Suite 205

3209 West 76th Street

Edina, Minnesota 55435

(952) 832-9090

Date: 31 March 2005

By: 

Mark A. Litman
Reg. No. 26,390

BEST AVAILABLE COPY

COPYRIGHT © 1996, 1993, 1987, BY RANDOM HOUSE, INC.

All rights reserved under International and Pan-American Copyright Conventions. No part of this book may be reproduced in any form or by any means, electronic or mechanical, including photocopying, without permission in writing from the publisher. All inquiries should be addressed to Random House Reference, Random House, Inc., 201 E. 50th Street, New York, N.Y. 10022. Published in the United States by Random House, Inc., and simultaneously in Canada by Random House of Canada Limited, Toronto.

The Random House Compact Unabridged Dictionary, Special Second Edition, is a revised and updated edition of
The Random House Dictionary of the English Language, Second Edition, Unabridged.

Random House Living Dictionary Project is a trademark of Random House, Inc.

Library of Congress Cataloging-in-Publication Data

Random House compact unabridged dictionary. — Special 2nd ed.

p. cm.

ISBN 0-679-45026-2

1. English language—Dictionaries.

PE1625.R36 1996

423—dc20 95-26318

CIP

A number of entered words which we have reason to believe constitute trademarks have been designated as such. However, no attempt has been made to designate as trademark or service marks all words or terms in which proprietary rights may exist. The inclusion, exclusion, or definition of a word or term is not intended to affect, or to express a judgment on, the validity or legal status of the word or term as a trademark, service mark, or other proprietary term.

International Phonetic Alphabet, courtesy International Phonetic Association

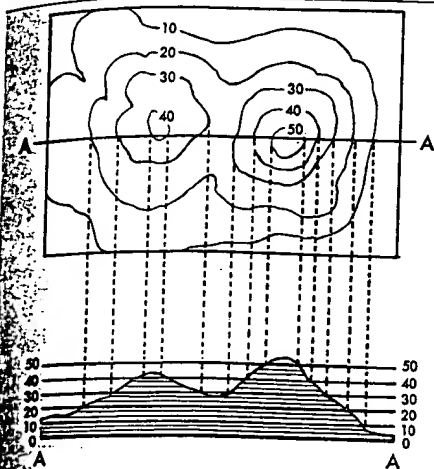
This book is also sold in a special package containing the CD-ROM version 2.0 for Windows™ 95

Typeset and Printed in the United States of America

0 9 8 7 6 5 4 3 2 1

New York Toronto London Sydney Auckland

con'tour map, a topographic map on which the shape of the land surface is shown by contour lines, the relative spacing of the lines indicating the relative slope of the surface. [1860-65]



contour map
showing profile (below) through A-A

con'tour sheet, a bed sheet designed to fit snugly over a mattress or the like, often having elastic material to hold down the corners.

con'tra, 1. contract. 2. contracted. 3. contraction. 4. contralto. 5. contrary. 6. contrasted. 7. control. 8. controller.

con'tra (kon'trā), prep. 1. against; in opposition or contrast to: Consider the problems of the teenager *contra* those of the adult. —adv. 2. contrariwise; on or to the contrary. [1350-1400; ME < L *contra*]

con'tra (kon'trā; Sp. *kón'trā*), n., pl. -tras (-traz; Sp. -tras), (often cap.) a member of a counterrevolutionary guerrilla group in Nicaragua. [*<* AmerSp, shortening of *contra* + *revolucionario* COUNTERREVOLUTIONARY]

con'tra, a prefix meaning "against," "opposite," "opposing," used in the formation of compound words: *contradistinction*. [*<* L, prefixal use of adv. and prep. *contra*]

con'tra, *Music*. a prefix meaning "pitched lower than normal": *contrabassoon*. [*<* It < L (see *CONTRA*); prob. generalized in E on the basis of It borrowings, e.g., *CONTRABASS*, *CONTRALTO*, *CONTRAPUNTAL*, etc.]

con'tra-band (kon'trā bānd'), n. 1. anything prohibited by law from being imported or exported. 2. goods imported or exported illegally. 3. illegal or prohibited trade; smuggling. 4. *Internal Law*. See *CONTRABAND OF WAR*. 5. (during the American Civil War) a black slave who escaped to or was brought within the Union lines. —adj. 6. prohibited from export or import. [1520-30; earlier *contrabanda* < Sp < It *contrabando* (now *contrabbando*), equiv. to *contra*- *CONTRA*- + ML *bandum*, var. of *bannum* BAN]

con'tra-band-ist (kon'trā bānd'ist), n. a person engaged in contraband trade; smuggler. [1810-20; < Sp *contrabandista*. See *CONTRABAND*, -IST] —*con'tra-band-ism*, n.

con'tra-band of war, *Internal Law*. goods that a neutral nation cannot supply to a belligerent nation except at the risk of seizure and confiscation. [1795-1805]

con'tra-bass (kon'trā bās'), *Music*. —n. 1. (in any family of instruments) the member below the bass. 2. (in the violin family) the double bass. —adj. 3. of, pertaining to, or characteristic of such instruments: a *contrabass* trombone. [1590-1600; < It; see *CONTRABASSO*] —*con'tra-bass-ist* (kon'trā bās'ist, -bas'ist), n.

con'tra-bas-so (kon'trā bās'ō, -bās'ō; It. *kōn'trā-bās'ō*), n., pl. -bas-sos, -bas-si (-bas'ē, -bās'ē; It. *-bās'ē*), adj. *Music*. *contrabasso*. [*<* It *contrabasso*, equiv. to *contra*- *CONTRA*- + *basso* BASS]

con'tra-bas-soon (kon'trā bā sōn', -bā-), n. a bassoon larger in size and an octave lower in pitch than the ordinary bassoon; a double bassoon. [1890-95; *CONTRA*- + *bas-soon*] —*con'tra-bas-soon-ist*, n.

con'tra-cept (kon'trā sēpt'), v.t. 1. to prevent the conception of (offspring). 2. to prevent pregnancy or impregnation; in, provide with the means for birth control. [1860-70; back formation from *CONTRACEPTION*]

con'tra-cep-tion (kon'trā sēp'shən), n. the deliberate prevention of conception or impregnation by any of various drugs, techniques, or devices; birth control. [1860-70; *CONTRA*- + (CON)CEPTION]

con'tra-cep-tive (kon'trā sēp'tiv), adj. 1. tending or serving to prevent conception or impregnation. 2. pertaining to contraception. —n. 3. a contraceptive device, drug, foam, etc. [1890-95; *CONTRA*- + (CON)CEPTIVE]

con'tra-clock-wise (kon'trā klok'wiz'), adj., adv. counterclockwise. [*CONTRA*- + CLOCKWISE]

con'tract (n. adj. and usually for v. 16-18, 22, 23) *con'tract*; otherwise v. *ken* trakt'), n. 1. an agreement between two or more parties for the doing or not doing of something specified. 2. an agreement enforceable by law. 3. the written form of such an agreement. 4. the division of law dealing with contracts. 5. Also called *contract bridge*, a variety of bridge in which the side bid can earn toward game only that num-

ber of tricks named in the contract, additional points being credited above the line. Cf. *auction bridge*. 6. (in auction or contract bridge) a. a commitment by the declarer and his or her partner to take six tricks plus the number specified by the final bid made. b. the final bid itself. c. the number of tricks so specified, plus six. 7. the formal agreement of marriage; betrothal. 8. *Slang*. an arrangement for a hired assassin to kill a specific person. 9. *put out a contract on*, *Slang*. to hire or attempt to hire an assassin to kill (someone). *The mob put out a contract on the informer*. —adj. 10. under contract; governed or arranged by special contract: a *contract carrier*. —v.t. 11. to draw together or into smaller compass; draw the parts of together: *to contract a muscle*. 12. to wrinkle: *to contract the brows*. 13. to shorten (a word, phrase, etc.) by combining or omitting some of its elements: *Contracting "do not" yields "don't"*. 14. to get or acquire, as by exposure to something contagious: *to contract a disease*. 15. to incur, as a liability or obligation: *to contract a debt*. 16. to settle or establish by agreement: *to contract an alliance*. 17. to assign (a job, work, project, etc.) by contract: *The publisher contracted the artwork*. 18. to enter into an agreement with: *to contract a free-lancer to do the work*. 19. to enter into (friendship, acquaintance, etc.). 20. to betroth. —v.i. 21. to become drawn together or reduced in compass; become smaller; shrink: *The pupils of his eyes contracted in the light*. 22. to enter into an agreement: *to contract for snow removal*. 23. *contract out*, to hire an outside contractor to produce or do. [1275-1325; (n.) ME < AF < L *contractus* undertaking a transaction, agreement, equiv. to *contra*-, var. s. of *contra* here to draw in, bring together, enter into an agreement (*con*- *CON*- + *trahere* to drag, pull; cf. *TRACT*) + -*tus* suffix of v. action; (v.) < L *contractus*, ptp. of *contrahere*] —*con'tract-ee*, n. —*con'tract-i-ble*, adj. —*con'tract-i-bil-i-ty*, *con'tract-i-ble-ness*, n. —*con'tract-i-bly*, adv.

—*Syn.* 1. See *agreement*. 11. reduce, shorten, lessen, narrow, shrivel, shrink. *CONTRACT*, *CONTRACT*, *CONCENTRATE*, *CONDENSE* imply retaining original content but reducing the amount of space occupied. *CONTRACT* means to cause to draw more closely together: *to contract a muscle*. *CONCENTRATE* suggests fusing to become smaller by means of fairly uniform external pressure: *to compress gases into liquid form*. *CONCENTRATE* implies causing to gather around a point: *to concentrate troops near an objective*; *to concentrate one's strength*. *CONDENSE* implies increasing the compactness, or thickening the consistency of a homogeneous mass: *to condense milk*. It is also used to refer to the reducing in length of a book or the like. —*Ant.* 11. expand.

con'tract bond, an indemnity agreement to protect against loss due to breach of contract. Cf. *performance bond*.

con'tract-ed (kon trakt'id), adj. 1. drawn together; reduced in compass or size; made smaller; shrunken. 2. condensed; abridged. 3. (of the mind, outlook, etc.) narrow or illiberal; restricted: *a contracted view of human rights*. [1540-50; *CONTRACT* + -ED] —*con'tract-ed-ly*, adv. —*con'tract-ed-ness*, n.

con'tract fur-ni-ture, furniture designed and manufactured for commercial installation, as in offices, waiting rooms, or lobbies.

con'tract-ile (kon trakt'il, -til), adj. capable of contracting or causing contraction. [1700-10; *CONTRACT* + -ILE] —*con'tract-il-i-ty* (kon'trakt'il'i tē), n.

con'tract-ile vac-u-ole, *Cell Biol.* a membrane-enveloped cellular organelle, found in many microorganisms, that periodically expands, filling with water, and then contracts, expelling its contents to the cell exterior; thought to be important in maintaining hydrostatic equilibrium. See *diags.* under *ameba*, *paramecium*. [1875-80]

con'trac-tion (kon trakt'shən), n. 1. an act or instance of contracting. 2. the quality or state of being contracted. 3. a shortened form of a word or group of words, with the omitted letters often replaced in written English by an apostrophe, as *e'er* for *ever*, *isn't* for *is not*, *dep't* for *department*. 4. *Physiol.* the change in a muscle by which it becomes thickened and shortened. 5. a restriction or withdrawal, as of currency or of funds available as call money. 6. a decrease in economic and industrial activity (opposed to *expansion*). [1375-1425; late ME < MF < L *contraction* (s. of *contractio*), equiv. to *contract* (us) drawn together, ptp. of *contrahere* (see *CONTRACT*) + -*ion* -ION] —*con'trac-tion-al*, adj. —*Usage*. Contractions such as *isn't*, *couldn't*, *can't*, *weren't*, *he'll*, *they're* occur chiefly, although not exclusively, in informal speech and writing. They are common in personal letters, business letters, journalism, and fiction; they are rare in scientific and scholarly writing. Contractions occur in formal writing mainly as representations of speech.

con'trac-tion joint, *Archit., Civ. Engin.* a joint between two parts of a structure, designed to compensate for the contraction to which either part may be subject. [1905-10]

con'trac-tive (kon trakt'iv), adj. 1. serving or tending to contract. 2. capable of contracting. [1615-25; *CONTRACT* + -IVE] —*con'trac-tive-ly*, adv. —*con'trac-tive-ness*, n.

con'tract la-bor, 1. labor coercible by the enforceable provisions of a contract. 2. foreign labor supplied under contract for a particular job.

con'trac-tor (kon'trakt tər, kon trakt'tər), n. 1. a person who contracts to furnish supplies or perform work at a certain price or rate. 2. something that contracts, esp. a muscle. 3. *Bridge*. the player or team who makes the final bid. [1540-50; < LL; see *CONTRACT*, -TOR]

con'tract prac-tice, the medical treatment of a group of persons by a physician or physicians with fees and services mutually agreed upon in advance.

con'trac-tu-al (kon trakt'chōl), adj. of, pertaining to, or secured by a contract. [1860-65; < L *contractus*, s. of *contractus* *CONTRACT* + -AL] —*con'trac-tu-al-ly*, adv.

con'trac-ture (kon trakt'chər), n. *Pathol.* a shortening or distortion of muscular or connective tissue due to spasm, scar, or paralysis of the antagonist of the contracting muscle. [1650-60; < L *contractura*, equiv. to *contract* (us) drawn together (ptp. of *contrahere*; see *CONTRACT*) + -*ura* -URE] —*con'trac-tured*, adj.

con'tra-cy-clical (kon'trā sī'kli kəl, -sīk'li-), adj. countercyclical. [*CONTRA*- + CYCLICAL] —*con'tra-cy-clical-i-ty*, n.

con'tra-dance (kon'trā dāns', -dāns'), n. *contredanse*.

con'tra-dict (kon'trā dikt'), v.t. 1. to assert the contrary or opposite of; deny directly and categorically. 2. to speak contrary to the assertions of; to contradict oneself. 3. (of an action or event) to imply a denial of: *His way of life contradicts his stated principles*. 4. *Obs.* to speak or declare against; oppose. —v.i. 5. to utter a contrary statement. [1560-70; < L *contradictus* (ptp. of *contradicere* to gainsay), equiv. to *contra*- *CONTRA*- + *dic-* (var. s. of *dicere* to speak) + -*tus* ptp. suffix] —*con'tra-dict-a-ble*, adj. —*con'tra-dict'er*, *con'tra-dic'tor*, n.

—*Syn.* 1, 2. gainsay, impugn, controvert, dispute. See *deny*. —*Ant.* 1. support.

con'tra-dic-tion (kon'trā dīk'shən), n. 1. the act of contradicting; gainsaying or opposition. 2. assertion of the contrary or opposite; denial. 3. a statement or proposition that contradicts or denies another or itself and is logically incongruous. 4. direct opposition between things compared; inconsistency. 5. a contradictory act, etc. [1350-1400; ME *contradicioun* (< AF) < L *contradictiō* (s. of *contradictio*). See *CONTRADICT*, -ION]

con'tra-dic-tious (kon'trā dīk'shəs), adj. 1. inclined to contradict; disputatious. 2. *Archaic*. self-contradictory. [1595-1605; *CONTRACT* + -IOUS] —*con'tra-dic-tious-ly*, adv. —*con'tra-dic-tious-ness*, n.

con'tra-dic-tive (kon'trā dīk'tiv), adj. tending or inclined to contradict; involving contradiction; contradictory. [1620-30; *CONTRACT* + -IVE] —*con'tra-dic-tive-ly*, adv. —*con'tra-dic-tive-ness*, n.

con'tra-dic-tor-y (kon'trā dīk'tā rē), adj., n., pl. -ries. —adj. 1. asserting the contrary or opposite; contradicting; inconsistent; logically opposite: *contradictory statements*. 2. tending or inclined to contradict. —n. 3. *Logic*. a proposition so related to a second that it is impossible for both to be true or both to be false. [1350-1400; ME < LL *contradictorius*, equiv. to *contradicere* (see *CONTRACT*) + -*torius* -TORI-] —*con'tra-dic-tor-i-ly*, adv. —*con'tra-dic-tor-i-ness*, n. —*Syn.* 1. irreconcilable, paradoxical.

con'tra-dis-tinc-tion (kon'trā dī stīngk'shən), n. distinction by opposition or contrast: *plants and animals in contradistinction to humans*. [1640-50; *CONTRA*- + *DISTINCTION*] —*con'tra-dis-tinc-tive*, adj. —*con'tra-dis-tinc-tive-ly*, adv.

con'tra-dis-tin-guish (kon'trā dī stīng'gwiʃ), v.t. to distinguish by contrasting opposite qualities. [1615-25; *CONTRA*- + *DISTINGUISH*]

con'tra-guide rud-der (kon'trā gid'), *Naut.* a rudder having a horizontal offset of its upper and lower halves to improve the flow characteristics of the propeller race.

con'tral (kon'trāl), n. a visible condensation of water droplets or ice crystals from the atmosphere, occurring in the wake of an aircraft, rocket, or missile under certain conditions. Also called *condensation trail*, *vapor trail*. [1940-45; (CONDENSATION) TRAIL]

con'tra-in-di-cate (kon'trā in'di kāt'), v.t., -cat-ed, -cat-ing. *Med.* (of a symptom or condition) to give indication against the advisability of (a particular or usual remedy or treatment). [1660-70; prob. back formation from *contraindication*. See *CONTRA*-, *INDICATION*] —*con'tra-in-di-ca-tion* (kon'trā in'di kāt'shən), n. —*con'tra-in-di-ca-tion*, n.

con'tra-lat-er-al (kon'trā lat'ər əl), adj. (of the body) pertaining to, situated on, or coordinated with the opposite side. [1880-95; *CONTRA*- + *LATERAL*]

con'tral-to (kon tral'tō), n., pl. -tos, adj. *Music*. —n. 1. the lowest female voice or voice part, intermediate between soprano and tenor. 2. the alto, or highest male voice or voice part. 3. a singer with a contralto voice. —adj. 4. pertaining to the contralto voice or its compass. [1720-30; < It, equiv. to *contra* (a) *CONTRA*- + *alto* ALTO]

con'tra-oc-tave (kon'trā ok'tiv, -tāv), n. *Music*. the octave between the second and third C's below middle C. [1890-95; *CONTRA*- + *OCTAVE*]

con'tra-or-bi-tal (kon'trā ōr'bi təl), adj. of or pertaining to flight in the orbit of, but in a direction contrary to, a given rocket, ballistic missile, satellite, etc. [*CONTRA*- + *ORBITAL*] —*con'tra-or-bi-tal-ly*, adv.

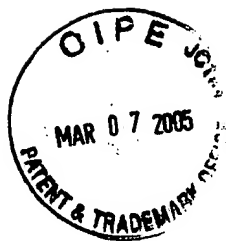
con'tra-plete (kon'trā plēt'), n. *Philos.* either of two opposed and complementary elements in a relationship. [*CONTRA*- + (COM)PLETE] —*con'tra-ple'tal*, adj.

con'tra-pose (kon'trā pōz'), v.t., -posed, -pos-ing. to place in contraposition. [1610-20; back formation from *contraposition* < L *contrapōsitio*, ptp. of *contrapōnere* to place against, with -*op* for L -*itus* ptp. suffix]

con'tra-po-si-tion (kon'trā pōz'ish'ən), n. 1. placement opposite or against. 2. opposition, contrast, or antithesis. 3. *Logic*. the inference drawn from a proposition by negating its terms and changing their order, as by inferring "Not B implies not A" from "A implies B." [1545-55; < LL *contraposition* (s. of *contrapōsitio*). See *CONTRA*-, *POSITION*]

con'tra-po-si-tive (kon'trā pōz'itiv), *Logic*. —adj. 1. of or pertaining to contraposition. —n. 2. a contra-

CONCISE PRONUNCIATION KEY: act, cāpe, dāre, pārt; set, equal; if, ice; ox, över, öder, oil, böök, bööt, out, up, ürge, child; sing; shoe; thin; that; zh as in treasure. a = o as in alone, e as in system, i as in easily, o as in gallop, u as in circus; * as in fire (fī'r), hour (ou'r). l and n can serve as syllabic consonants, as in cradle (krād'l), and button (but'n). See the full key inside the front cover.



CHANGE OF ATTORNEY CORRESPONDENCE/POWER OF ATTORNEY

I hereby appoint the following individual as associate:

Mark A. Litman, Reg. 26,390
Mark A. Litman & Associates, P.A.
York Business Center, Suite 205
3209 West 76th Street
Edina, MN 55435
Phone: 952-932-9090
Fax: 952-832-9191
malpatlaw@aol.com

Effective immediately kindly forward all future correspondence for the patent applications listed below directly to his office.

US Patent Application	09/574,857
US Patent Application	10/444,884
US Patent Application	07/490,859
US Patent Application	08/306,221
US Patent Application	08/604,778
US Patent Application	09/189,043

Date:

2/21/05

Respectfully submitted,
JOHN KUCHARCZYK
By his attorneys:

Robert C. Beck
Registration No. 28,184
Beck & Tysver, P.L.L.C.
2900 Thomas Ave., #100
Minneapolis, MN 55416
Telephone: (612) 915-9635
Fax: (612) 915-9637